

Senate Bill 133

By: Senators Tarver of the 22nd, Brown of the 26th, Ramsey, Sr. of the 43rd, Fort of the 39th
and Thomas of the 2nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 44-13-100 of the Official Code of Georgia Annotated, relating to
2 homestead exemption from levy and sale for purposes of bankruptcy and intestate insolvent
3 estates, so as to change certain provisions relating to maximum amounts of exemptions; to
4 repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 44-13-100 of the Official Code of Georgia Annotated, relating to homestead
8 exemption from levy and sale for purposes of bankruptcy and intestate insolvent estates, is
9 amended by revising the introductory language and paragraph (1) of subsection (a) as
10 follows:

11 "(a) In lieu of the exemption provided in Code Section 44-13-1, any debtor who is a natural
12 person may exempt, pursuant to this article, for purposes of bankruptcy, the following
13 property:

14 (1) The debtor's aggregate interest, not to exceed ~~\$10,000.00~~ \$50,000.00 in value, in real
15 property or personal property that the debtor or a dependent of the debtor uses as a
16 residence, in a cooperative that owns property that the debtor or a dependent of the debtor
17 uses as a residence, or in a burial plot for the debtor or a dependent of the debtor. In the
18 event title to property used for the exemption provided under this paragraph is in one of
19 two spouses who is a debtor, the amount of the exemption hereunder shall be ~~\$20,000.00~~
20 \$100,000.00;"

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.